House Amendment 8354

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Amend House File 2523, as amended, passed, and reprinted by the House, as follows:

#1. Page 1, by inserting before line 1, the following:

1 6 2003, is amended to read as follows:

3. Adopt, amend, or repeal ambient air quality standards for the atmosphere of this state on the basis of providing air quality necessary to protect the public health and welfare and to reduce emissions contributing to acid rain pursuant to Title IV of the federal Clean Air Act Amendments of 1990. However, the commission shall not adopt, amend, or repeal an ambient standard for which the United States environmental protection agency has not promulgated a standard.>

#2. Page 1, by striking lines 10 and 11, and inserting the following: 1 19 not prohibit the commission from adopting ~~a~~ an emission standard for a source or class>.

#3. Page 1, line 32, by inserting before the word the following: .

#4. Page 1, line 35, by striking the words 1 24 health> and inserting the following: 1 25 health>.

#5. Page 2, by striking lines 31 through 34 and inserting the following:

#6. Page 3, line 28, by inserting after the word the following: .

#7. Page 4, line 1, by inserting after the word the following: .

#8. Page 4, by striking line 7 and inserting the following: .

#9. By striking page 5, line 30, through page 7, line 2, and inserting the following:

<___. a. The minimal risk levels for an airborne pollutant that is hydrogen sulfide are as follows:

(1) The short=term minimal risk level is one of the following:

(a) A concentration dose exceeding seventy parts per billion for the duration of two consecutive valid sampling weeks.

(b) A sum of the hourly average concentration doses exceeding twenty=three and fifty=two hundredths parts per million=hour for two consecutive valid sampling weeks, reduced by seven hundredths parts per million=hour for each hour for which there is no valid hourly average.

(2) The long=term minimal risk level is one of the following:

(a) A concentration dose exceeding thirty parts per billion for the duration of twelve consecutive valid sampling months.

(b) A sum of the hourly average concentration doses exceeding two hundred sixty=two and eight hundredths parts per million=hour for twelve consecutive valid sampling months, reduced by three hundredths parts per million=hour for each hour for which there is no valid hourly average.

b. The minimal risk levels for an airborne pollutant that is ammonia are as follows:

(1) The short=term minimal risk level is one of the following:

(a) A concentration dose exceeding one thousand seven hundred parts per billion for the duration of two consecutive valid sampling weeks.

(b) A sum of the hourly average concentration doses exceeding five hundred seventy=one and two= tenths parts per million=hour for two consecutive valid sampling weeks, reduced by one and seven=tenths parts per million=hour for each hour for which there is no valid hourly average.

(2) The long=term minimal risk level is one of the following:

(a) A concentration dose exceeding three hundred parts per billion for the duration of twelve consecutive valid sampling months.

(b) A sum of the hourly average concentration

doses exceeding two thousand six hundred twenty=eight parts per million=hour for each hour for which there is no valid hourly average.

c. A valid sampling day, valid sampling week, and valid sampling month for purposes of this subsection shall be determined as provided in this paragraph. Hourly averages must first be computed by averaging all valid five=minute averages recorded by the data acquisition system in that hour. An hourly average is considered valid if at least forty=five minutes of valid five=minute averages are recorded by the data acquisition system. A sampling day consists of twenty=four nonoverlapping hours beginning from midnight on a given day to midnight on the following day. A sampling day is considered valid if at least eighteen hours of valid hourly averages have been recorded at the monitoring location. To determine the daily average, each of the valid hourly concentrations associated with a sampling day shall be averaged and truncated to one part per billion. A valid sampling day shall be computed by averaging all valid hourly averages recorded by the data acquisition system in that sampling day. A valid sampling week consists of at least six valid sampling days in a period of seven consecutive days. A valid sampling month is a calendar month in which at least seventy=five percent of the days of the month are valid sampling days.>

#10. Page 7, line 13, by striking the word and inserting the following: .

#11. Page 7, by striking lines 34 and 35 and inserting the following: 3 10 pollutant, for a specific type or phase of animal production system commonly used in this state and for a specific type of manure storage or treatment system commonly used at such animal production systems if all of the>.

#12. Page 8, by striking lines 4 and 5 and inserting the following: 3 17 phase of animal production system commonly used in this state and that type of manure storage or treatment system commonly used at such animal production systems is present at separated locations at levels>.

#13. Page 8, by striking lines 12 and 13 and inserting the following: 3 24 from a specific type or phase of animal production system commonly used in this state and a specific type of manure storage or treatment system commonly used at such animal production systems is present at>.

#14. Page 10, by striking line 3 and inserting the following: 3 30 of the short=term minimal risk level for an airborne pollutant that is hydrogen sulfide or ammonia, the notice shall expire one hundred eighty days from the date of its issuance. If the notice is for any other violation of a minimal risk level or health effect level for odor, the notice shall expire one year from the date of its>.

#15. Page 10, by inserting after line 22 the following:

<___. The governor shall appoint members to a monitoring advisory committee to advise the department on the monitoring of airborne pollutants that are hydrogen sulfide, ammonia, and odor as required by this Act. Members shall not be representatives of the department and must have expertise in data collection and in the operation of equipment used for data collection as required by this Act. The department shall consult with members in a meeting which shall be chaired by a person appointed by the governor. The committee shall consult with the department regarding monitoring as required by this section or rules adopted pursuant to this section. The committee shall evaluate and assess protocols for data collection, data processing, and data retention as required by this section. The committee shall also evaluate instrument calibration procedures and instrument siting procedures for objective data collection, and oversee instrumentation evaluation for selection of equipment.>

#16. By renumbering, relettering, or redesignating and correcting internal references as necessary.

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